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PTO/SB/21 (09-04)

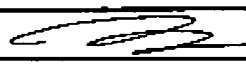
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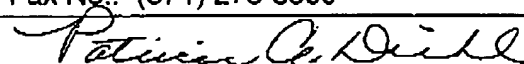
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/733,599	
	Filing Date	December 11, 2003	
	First Named Inventor	Chris Fry	
	Art Unit	2154	
	Examiner Name	Chang, Jungwon	
Total Number of Pages in This Submission	7	Attorney Docket Number	BEAS-01333US1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): See Remarks below:
Remarks Pre-Appeal Brief Request For Review		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fliesler Meyer, LLP		Customer No.: 23910
Signature			
Printed name	David T. Xue		
Date	September 5, 2006	Reg. No.	54,554

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Fax No.: (571) 273-8300		
Signature		
Typed or printed name	Patricia A. Diehl	Date 9-5-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: BEAS-1333US1

DXue/BEAS/1330-1446/1333US1/Transmittal.pdf

PAGE 1/7 * RCVD AT 9/5/2006 5:38:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-2/14 * DNIS:2738300 * CSID:415 362 2928 * DURATION (mm-ss):02:36

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PTO/SB/17 (01-08)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL **For FY 2006**

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**500.00**

Complete if Known

Application Number	10/733,599
Filing Date	December 11, 2003
First Named Inventor	Chris Fry
Examiner Name	Chang, Jungwon
Art Unit	2154
Attorney Docket No.	BEAS-01333US1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 06-1325 Deposit Account Name: Fliesler Meyer LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		
	Multiple Dependent Claims	Fee (\$)
		Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).


<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount) **Fees Paid (\$)**

Other (e.g., late filing surcharge): Notice of Appeal **500.00**

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	54,554	Telephone	415.362.3800
Name (Print/Type)	David T. Xue	Date	9/5/06		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: BEAS-01333US1

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SEP 05 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Chris Fry

Appln. No.: 10/733,599

Confirm. No.: 8210

Filed: December 11, 2003

Title: Systems and Method for Lightweight Conversation

PATENT APPLICATION

Art Unit: 2154

Examiner: Chang, Jungwon

Customer No. 23910

CERTIFICATE OF FACSIMILE/MAILING UNDER 37 C.F.R. §

1.8

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Patricia A. Diehl (Signature)

Patricia A. Diehl

Signature Date: 9-5-06

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This request is made in reply to the Advisory Action dated August 16, 2006 and is submitted concurrently with a Notice of Appeal.

The requested Review is to focus on rejections and arguments in the previous response dated August 7, 2006.

Claims 1-11, 20-32, 34-37, 39-46, 48-51 and 53-60 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-11, 20-32, 34-37, 39-46, 48-51 and 53-60.

Claims 1-6, 9-11, 20-32, 34, 37, 39-46, 48, 51 and 53-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iyer (2001/0037367), in view of Yamamoto (2003/0037110) and Yasue (2003/0009525).

Claims 7, 8, 17, 18, 35, 36, 49 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iyer, Yamamoto, Yasue, further in view of Eide et al. (2004/0078455).

The applicant feels the rejections of record are clearly not proper and are without basis due to their factual deficiency, since the subject matter of "conversation" described in the present application is totally distinct from the conversation disclosed in Iyer, Yamamoto and Yasue

Atty. Docket No.: BEAS-01333US1
DXue/BEAS/1333us1/Pre-Appeal Review

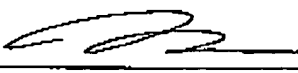
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(hereinafter prior arts). More specifically, the conversation disclosed by the present invention is a collective set of well-defined and ordered messages exchanged between computer processes running on computer devices in the context of business applications. As detailed in the specification, such conversation is not initiated or controlled by humans, and it is conducted by the processes without any human intervention. In contrast, the conversations in the prior art are communications between/among humans - owners, users, or customers. Although such conversation can be conducted via personal computer or a varieties of electronic devices over the network, they are always initiated by users and "controlled by an owner" and "one person or entity (e.g., the owner) is in charge of the gathering" (Iyer, paragraph [0022]). As understood by one of ordinary skill in the art, the messages exchanged between processes and conversations between humans are fundamentally different. For the above discussed reasons, claims 1-11, 20-32, 34-37, 39-46, 48-51 and 53-60 are believed to be allowable and such is respectfully requested.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this Pre-Appeal Brief Request for Review.

Respectfully submitted,

Date: 9/5/06

By: 
David T. Xue
Reg. No. 54,554

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